

COURT FACILITIES BOND

The Legislature's Judiciary Committees recently concluded informational hearings on the component of Governor Schwarzenegger's Strategic Growth Plan (SGP) that focuses on so-called critical infrastructure facilities. The plan identifies courthouses as being part of such critical infrastructure.

The proposal, which calls for the issuance of \$1.2 billion in General Obligation (G.O.) bonds in 2006 and another \$1 billion in 2010, is just one component of a much larger package that would authorize the issuance of \$68 billion in G.O. bonds over the next 10 years.

However, the Judiciary Committees focused solely on the court facilities aspect of the governor's proposal, which is contained in [SB 1163](#) by Senator [Dick Ackerman](#) (R-Irvine) and [AB 1831](#) by Assembly Member [Dave Jones](#) (D-Sacramento). Under the governor's plan, \$800 million of the \$1.2 billion 2006 bond measure would be earmarked for the renovation or replacement of court facilities. The 2010 bond measure would target the entire \$1 billion for court facilities infrastructure.

Members of both committees pressed the Department of Finance regarding the administration's rationale for bond measures that would provide \$1.8 billion for court facilities, taking note that the Administrative Office of the Courts (AOC) has estimated a cost of \$9 billion to adequately renovate or replace court facilities around the state. Department representatives acknowledged that the amount sought through bond measures was not sufficient to address the totality of court facilities infrastructure needs, but took the position that in the overall context of the SGP a greater allocation would not be fiscally feasible.

Each panel was briefed by the AOC on the current state of court facilities in California. The presentations, which focused on security, safety, efficiency and access, revealed the following:

- 68% of the courts present barriers to security
- 68% of the current court facilities lack up-to-date fire and life safety systems
- 50% of the courts pose a substantial seismic risk to staff and the public
- 25% of the current court facilities lack the space for a jury box
- 75% of the courts lack adequate access for people with disabilities
- 23 court facilities are located in trailers

The AOC hopes to address the court facilities dilemma through implementation of its court facilities master plan, a plan that calls for the renovation or replacement of numerous court facilities around the

state. The master plan would be fully implemented by 2017, at which time every county in the state would be the beneficiary of at least one courthouse renovation or newly constructed court facility.

The committees spent considerable time discussing the transfer of trial court facilities to the state from the counties pursuant to the Trial Court Facilities Act of 2002. Under the provisions of the act, the transfer of court facilities to the state from counties is to be completed by 2007. To date, only five facilities have been transferred and another 35 are expected to be transferred this year.

Upon hearing of the slow rate of transfer, some committee members expressed concern about whether the 2007 deadline could be met. The AOC informed the Assembly Judiciary Committee that it intends to seek a one-year extension. During the hearing before the Assembly Judiciary Committee, the Department of Finance committed to working with counties and the AOC to facilitate a speedier transfer of court facilities.

The hearings were purely informational, and the committees took no formal action on either SB 1163 or AB 1831. Instead, each committee will submit a majority and minority report, with specific recommendations, to the Conference Committee on Infrastructure, which is charged with hammering out a compromise bond package, a portion of which may go before the voters as early as June.

SENATE COMMITTEE CHANGES

Senate President pro Tem Don Perata recently revised the composition of most Senate policy committees, as "part of his long standing goal to make committees more efficient and reduce Senators' time conflicts." The size and composition of the Senate's committees on Appropriations and Budget remain unchanged.

Among the committees with reduced membership is the Senate Judiciary Committee, which shrinks from seven members to five. Remaining on the committee are Chair [Joe Dunn](#) (D-Garden Grove), Vice-Chair [Bill Morrow](#) (R-Oceanside), [Dick Ackerman](#) (R-Anaheim), [Martha Escutia](#) (D-Whittier), and [Sheila Kuehl](#) (D-Santa Monica). Gone are Senators [Gil Cedillo](#) (D-Los Angeles) and [Liz Figueroa](#) (D-Sunol).

The new configuration of the Judiciary panel decreases its Democratic advantage from 5-2 to 3-2, making it one of the few committees where Republicans hold a higher percentage of seats (40%) than they do in the Senate as a whole (36%). Significantly, the removal of Cedillo and Figueroa, the only non-attorneys on the committee, leaves the new-look Judiciary committee the only committee in either house entirely comprised of lawyers.